

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at KNOXVILLE

RODOLFO BORJA TORRES	)	
	)	
Petitioner,	)	
	)	
v.	)	3:03-cr-101
	)	3:07-cv-035
	)	<i>Jordan</i>
	)	
UNITED STATES OF AMERICA	)	
	)	
Respondent.	)	

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum, the motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 is **DENIED** and this action is **DISMISSED**. All other pending motions are **DENIED** as **MOOT**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is **DENIED**. The court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. Therefore, this court hereby **DENIES** the petitioner leave to proceed *in forma pauperis* on appeal.

**ENTER:**

ENTERED AS A JUDGMENT  
s/ Patricia L. McNutt  
CLERK OF COURT

s/ Leon Jordan  
United States District Judge